

17236
022404
U.S. PTO

Docket No. 212/562

Request for Continuing Application Under 37 CFR 1.53(b)

22278 US PTO
10/786905
022404



To: Commissioner for Patents
P.O. Box 1450 , Alexandria, VA 22313-1450
Sir:

Enclosed please find a continuation application, filed under 37 CFR 1.53(b), of the following pending prior application:

Inventors: Thomas J. Fogarty and Timothy James Ryan

Title: Minimally Invasive Direct Cardiac Massage Device and Method

Serial Number: 10/337,694

Filing Date: January 6, 2003

Enclosed please find the following additional papers:

- [x] 21 page(s) specification; [5] page(s) claims: [1] page(s) abstract
[x] 9 sheets of drawing ([] informal [x] formal)
[x] True copy of the declaration from the prior complete application
[] Preliminary Amendment [] pages
[] Power of Attorney
[x] The invention is assigned to : Revivant Corporation
[x] Applicant claims small entity status
[x] Other: Information Disclosure Statement

The filing fee has been calculated as shown below:

-Basic Filing Fee	770	770
-Total Claims 19 - 20 = 0 x 18 0		0
-Independent Claims 2 - 3 = 0 x 86 0		0
-Multiple Dependent Claim(s) 0	290	\$0
TOTAL CALCULATIONS 0		\$770.00
-Reduction for Small Entity (1/2)	.5	\$385.00
-Assignment (\$40) 0		\$0
TOTAL FEES		\$385.00

- This application is filed without fee pursuant to 37 CFR 1.53.
 Check No. in the amount of \$385.00 to cover the above fees is enclosed.
 The Commissioner is hereby authorized to charge payment of the fees associated with this communication, or credit any overpayment, to Deposit Account 03-3700.

Date: February 24, 2004

By:

Theodore D. Fay III

Theodore D. Fay III, Esq.
Reg. No. 48504

Customer Number 23371

Certificate of Mailing (37 CFR 1.10)

I hereby certify that this Application Transmittal (along with any paper referred to as being attached or enclosed) is being deposited Express Mail using Express Mail Post Office to Addressee with the United States Postal Service on the date shown below in an envelop addressed to P.O. Box 1450 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail No. EL 965835905 US

Date: February 24, 2004

Theodore D. Fay III
Theodore D. Fay III, Esq.